

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Idolio Monsivias,

4 Plaintiff,

5 vs.

6 Seamless Gutters,

7 Defendant.

2:22-cv-02116-JAD-MDC

Order Adopting Report and
Recommendation to Dismiss

ECF No. 21

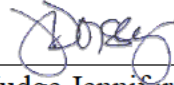
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9 **On April 8, 2024, the magistrate judge entered the following report and recommendation:**

10 Pro se plaintiff Idolio Monsivias has failed to complete service on defendants Seamless Gutters
11 and G.C. Hyteck. On December 21, 2022, Mr. Monsivias filed his complaint against Cody Peterson
12 Seamless Gutters and G.C. Hyteck Josh Jacobson. ECF No. 1 at 1. On November 7, 2023, Judge
13 Ferenbach (retired) ordered Mr. Monsivias to complete service by February 6, 2024. ECF No. 8. Mr.
14 Monsivias later moved to amend his complaint to reflect the correct name of the defendants, i.e.,
15 Seamless Gutters and G.C. Hyteck. ECF No. 12. I granted the *Motion to Amend* and ordered Mr.
16 Monsivias to file his amended complaint by February 2, 2024. ECF No. 16. I also ordered Mr.
17 Monsivias to comply with Judge Ferenbach's Order (ECF No. 8) to complete service by February 6,
18 2024. ECF No. 16. Mr. Monsivias failed to comply with the Order. On February 16, 2024, I gave Mr.
19 Monsivias one final chance to complete service by March 15, 2024. ECF No. 20. I warned Mr.
20 Monsivias that failure to comply with the Order may result in the dismissal of his case. *Id.* Mr.
21 Monsivias failed to comply with the Court's Order. I recommend that this case be dismissed pursuant to
22 Rule 4(m).
23

24 **ACCORDINGLY, I RECOMMEND that** this case be dismissed without prejudice for failure
25 to complete service pursuant to Rule 4(m) and the Court's Orders.

1 The deadline for the plaintiff to object to that recommendation was April 22, 2024, and
2 the plaintiff neither filed objections nor moved to extend the deadline to do so. No review is
3 required of a magistrate judge's report and recommendation unless objections are filed. Having
4 reviewed the R&R, I find good cause to adopt it, and I do.

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6 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation [ECF
7 **No. 21]** is **ADOPTED in its entirety. This action is DISMISSED** without prejudice under FRCP 4(m)
8 for want of service, and the Clerk of Court is directed to **CLOSE THIS CASE.**

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11 U.S. District Judge Jennifer A. Dorsey
12 Dated: April 23, 2024
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